## REMARKS/ARGUMENTS

Claims 1-20 are pending in the application. Claims 1-5, 8, 10 and 15 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Gushiken, U.S. Patent Application Publication No. 2001/0041587 ("Gushiken") in view of Okuyama et al., U.S. Patent Application No. 2002/0126408 ("Okuyama"). Claims 11 and 12 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Gushiken in view of Okuyama in view of what the Office Action describes as "Applicant's admitted prior art" ("AAPA"). In discussing the Gushiken and Okuyama references, Applicant makes no admission that either of these references has a filing date before the invention date of the present application.

Applicants respectfully submit that the cited references do not teach suggest or disclose "[a] mobile system, comprising: a storage device; *a vibration sensor arranged to detect whether there is a presence of sustained or sporadic mechanical vibrations over a designated time duration*, and to generate therefrom a vibration signal indicating the presence of sustained or sporadic mechanical vibrations; and *a chipset having a storage controller arranged to control accesses to said storage device, including* limiting accesses ..." (e.g., as recited in the embodiment of claim 1).

In the Response to Arguments, the recent Office Action states that Guskiken defines in ¶¶74-75 that a non-operable state is a power OFF state in order for the system to save battery pack life. It concludes that a non-operable state occurs when a) the system is mobile or b) when the mobile system is off. Applicant respectfully disagrees. Guskiken does not define a non-operable state as such, but merely indicates that a non-operable state is a power OFF state. Paragraph 75 states:

> As explained above, the radio communication unit 7 is continually supplied with a power source through the power source line 44 from the power source controller 21 to enable always receiving data via radio communication even *when the data processing unit is in an non-operable state, e.g., a power OFF state,* for saving the power of the battery pack 23.

Clearly, a power OFF state can occur even when the unit is connected to a commercial power source (the system is non-"mobile"). Additionally, Applicant maintains that the Gushiken reference does not specifically teach a method to discern an unstable condition from a stable condition, and that the limited non-operable condition disclosed in Gushiken is not an equivalent thereof.

Next, the Office Action argues that ¶¶79-82 disclose a method for storing information received by the buffer memory and transmitting it to the HDD where the system is in non-operational mode. Applicant maintains that regardless of what ¶¶79-82 may or may not disclose, the Gushiken reference discloses such in light of "non-operable" merely meaning power OFF (as discussed above), and not "mobile" or not connected to a commercial power source. The cited paragraphs are merely intended to disclose the use of the data processing unit to transfer data stored in the buffer memory when commercial power source *may* or may not be attached, but the system is non-operable (power OFF).

The Office Action also argues that Gushiken discloses that it is possible to prevent transmission from the buffer memory to the hard drive to prevent damage from vibrations. Applicant respectfully disagrees. Paragraph 85 states:

> It is also possible to modify the sending of a request for driving the data processing unit only when an amount of the arranged system data exceeds the predetermined capacity of the buffer memory 34. Thus, it is possible to store all of the arranged system data into the buffer memory 34 so long as the data amount

> does not exceed the capacity of the buffer memory 34. Consequently, a user can use the stored system data at any time by driving the data processing unit when a user is available.

The cited paragraph discusses what to do when the storage capacity of the buffer memory is exceeded. There is no mention of carrying the computer or any aspect of mobility whatsoever, or even the prevention of transmission from the buffer memory to the hard drive to prevent damage.

Also, the Office Action cites ¶84 as disclosing that it is possible to store all of the transferred information from the antenna into the buffer memory as long as the amount of transferred information does not exceed the capacity of the buffer memory. Paragraph 84 states:

> In the first embodiment, when the system data transfer controller 33 detects the completion of arranging the system data, it immediately requests start up of the data processing unit 8 in order to immediately transfer the system data stored in the buffer memory 34 to the system unit after completion of the start up.

The cited paragraph merely discloses the generic method of transferring of data stored in the buffer memory to a data processing unit once start up has occurred. Applicant maintains that the cited paragraph does not disclose the storage capacity of the buffer memory at all.

As discussed previously, Okuyama does not make up for the deficiencies of Gushiken. Referring to Fig. 4, Okuyama shows element 13, which can be a laptop computer coupled to a magnetic disk drive apparatus 17 (including an information recording/reproducing apparatus 23). An external sensor is provided for the hard drive that detects an external shock so that the data writing operation can be stopped.

Applicant maintains that given the teachings of Gushiken and Okuyama, there is no suggestion to combine the references to achieve the presently claimed invention. Gushiken does not suggest that there should be any sensor for detecting vibration or an stable or unstable condition. Okuyama does not teach or suggest combining its teachings with a mobile system with data transfer capabilities as described in embodiments of the present invention.

Lastly, Applicant maintains features of the claims are wholly missing from the pending claims. For example, claim 1 recites a vibration sensor to detection the "presence of sustained or sporadic mechanical vibrations over a designated time duration;" recites the generating a "vibration signal;" recites "a chipset having a storage controller arranged to control accesses to [the] storage device including limiting accesses to [the] storage device ... in response to the vibration signal." None of these features are found in the Gushiken or Okayama references taken individually or in combination. Likewise, claim 10 includes similar limitations. Claims 2-6, 8-9, 11-13 and 15-17 depend from and further define claims 1 and 10 and should be allowable for the same reasons.

For at least the above reasons, it is believed that this Amendment places the application in condition for allowance, and early favorable consideration of this Amendment is earnestly solicited.

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If, in the opinion of the Examiner, an interview would expedite the prosecution of this application, the Examiner is invited to call the undersigned attorney at the telephone number listed below.

The Office is hereby authorized to charge any fees, or credit any overpayments, to Deposit Account No. **11-0600**.

Respectfully submitted,
KENYON & KENYON

Dated: May 17, 2005

By: _____
Sumit Bhattacharya
Reg. No. 51,469

Customer No. 25693

KENYON & KENYON
333 West San Carlos St., Suite 600
San Jose, CA 95110
Telephone: (408) 975-7500
Facsimile: (408) 975-7501



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